

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 30208.240386

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

POSITIVE ELECTRODE ACTIVE MATERIALS FOR SECONDARY BATTERIES AND  
METHODS OF PREPARING SAME,

the specification of which

☒ is attached hereto

OR

☐ was filed on \_\_\_\_\_ as United States Application No. or PCT International Application Number  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

None			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/313,631	August 20, 2001
Application Number	Filing Date (MM/DD/YYYY)
Application Number	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

None		
Application No.	Filing Date	Status Patented/Pending/Abandoned
Application No.	Filing Date	Status Patented/Pending/Abandoned
Application No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

**Customer Number 00826**

Direct telephone calls to: Andrew T. Meunier  
Registration No. 40,726  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

Full name of (first/sole) inventor: Yuan Gao  
Inventor's  
Signature: [Signature] Date: 10/29/01  
Residence: Monroe, New Jersey  
Citizenship: Canada  
Mailing Address: 6 Whispering Woods Boulevard  
Monroe, NJ 08831

Full name of second inventor: Marina Yakovleva  
Inventor's  
Signature: M. Yakovleva Date: 10/29/01  
Residence: Gastonia, North Carolina  
Citizenship: Russia  
Mailing Address: 1993G Hudson Boulevard  
Gastonia, NC 28054

Full name of third inventor: Michael E. Leonowicz  
Inventor's  
Signature: Michael E. Leonowicz Date: 10/29/01  
Residence: Charlotte, North Carolina  
Citizenship: United States of America  
Mailing Address: 5501 McChesney Drive  
Charlotte, NC 28269

Full name of fourth inventor: Prakash Palepu  
Inventor's  
Signature: Prakash Palepu Date: 10/29/01  
Residence: Gastonia, North Carolina  
Citizenship: United States of America  
Mailing Address: 4311 Patriots Way  
Gastonia, NC 28056-9278

Full name of fifth inventor: John F. Engel  
Inventor's  
Signature: John F. Engel Date: 10/29/01  
Residence: Belmont, North Carolina  
Citizenship: United States of America  
Mailing Address: 5024 Samuel Pinckney Drive  
Belmont, NC 28012

CLT01/4503904v1